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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,819	10/15/2003	Vincent H. Rose	831/US/2	8487
33486	7590	07/12/2005	EXAMINER	
HEIMBECHER & ASSOCIATES, LLC. 390 UNION BLVD SUITE 650 LAKEWOOD, CO 80228-6512			HASAN, MOHAMMED A	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/686,819

**Applicant(s)**

ROSE, VINCENT H.

**Examiner**

Mohammed Hasan

**Art Unit**

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 21 is/are pending in the application.
- 4a) Of the above claim(s) 4 - 8, 13 - 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 9 - 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/12/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of claims 1- 3, 9 – 12 (i.e., Group I) are drawn to lens support in the reply filed on 4/16/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 4 – 8, 13 – 21 with drawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to non elected invention, there being no allowable generic or linking claim. Election was made without traverse.

### ***Oath/Declaration***

2. Oath and declaration filed on 10/15/2003 is accepted.

### ***Information Disclosure Statement***

3. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 4/12/2004 have all been considered and made of record (note the attached copy of form PTO – 1449).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 3, and 9 – 12 are rejected under 35 U.S.C. 102 (b) as being anticipated by Yoshino et al (5,298,096).

Regarding claim 1, Yoshino et al discloses (refer to figures 1, 3 and 5) a lens (1) comprising: a first face, the first face comprising a channel around a peripheral edge of the lens and a second face comprising a projection around the peripheral edge of the lens , wherein when at least two lenses (1A and 1B) are stacked upon each other , the projection of the second face of a first lens engages the channel of the first face of a second lens, preventive relative movement between the first and the second lens and maintaining a gap between face of the first lens and the first face of the second lens (column 1, lines 40 – 63, column 3, lines 27 – 53) .

Regarding claim 2, Yoshino et al discloses, (refer to figure 5) at least a portion of the first face comprises an optical surface and the channel further comprises : a first wall and a second wall wherein the first wall and the second wall from the bounds of the channel, and at least one of the first wall and the second wall projects above the optical surface, wherein the optical surface of the first face is projected from scratches and

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other damage when the lens is set upon a generally flat surface (column 3, lines 27 – 53).

Regarding claim 3, Yoshino et al discloses (refer to figure 5) wherein at least a portion of the second face comprises an optical surface and projection projects above the optical surface, wherein the optical surface of the second face is projected from scratches and other damages when the lens is set upon a generally flat surface (column 3, lines 27 – 53).

Regarding claim 9, Yoshino et al discloses, wherein the lens (84) is circular, the channel is concentric with the center of the lens, and the projection is concentric with the center of the lens (as shown in figures 6 and 7).

Regarding claim 10, Yoshino et al discloses, wherein the channel is adapted to support a bezel and to separate an edge of the bezel from the optical surface of the first face (as shown in figures 6 and 7).

Regarding claim 11, Yoshino et al (refer to figures 6 and 7) wherein the second wall is bounded by the first wall and an interior side of the second wall forms a beveled edge angled to support a bezel and to separate a front edge of the bezel from the optical surface of the first face (column 4, lines 12 – 58).

Regarding claim 12, Yoshino et al (refer to figures 6 and 7) wherein the second wall is bounded by the first wall, the first face and the second face comprise opposing sides of a lens body, and at least a portion of the first wall extends beyond a peripheral edge of the lens body (column 4, lines 12 – 58).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The closest prior art

Hatasawa et al (5,852,518) discloses, a projection optical unit and projection exposure apparatus comprising the same.

Hanford et al (5,353,166) discloses, a mounting system for optical annulus in lens assembly.

Onda (6,590,721 B2) discloses, a lens support structure.

### ***Conclusion***

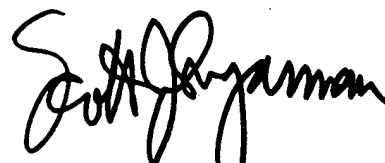
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272- 2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH  
July 6, 2005



Scott J. Sugarman  
Primary Examiner